

CBD/JWB/AFE/REB  
F. #2016R00349

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

- against -

Cr. No. 18-578 (JS)(AYS)

PATRICE RUNNER

Defendant.

----- X

GOVERNMENT’S PROPOSED EXAMINATION OF PROSPECTIVE JURORS

The Government respectfully requests, pursuant to Rule 24(a) of the Federal Rules of Criminal Procedure, that the Court include the following questions in its examination of prospective jurors. The Government has included, as item 16 below, a list of individuals and corporations whose names may be mentioned during the trial. The Court is requested to pursue more detailed questioning at the sidebar or in the robing room if a prospective juror’s answer reveals that further inquiry is appropriate and, in such an instance, to conclude with an inquiry as to whether the particular fact or circumstance would influence the prospective juror in favor of or against either the government or the defendant.

A. The Charges

1. This is a criminal case. The defendant on trial, Patrice Runner, has been charged in an 18-count Indictment filed by a grand jury sitting in this District. The Indictment charges the defendant with conspiracy to commit mail fraud and wire fraud, twelve counts of mail fraud, four counts of wire fraud, and one count of conspiracy to commit money laundering.

2. The Indictment is not evidence itself. It simply contains the charges that the

Government is required to prove to the satisfaction of the jury beyond a reasonable doubt. I would like to summarize the charges in this case in order to determine whether there is anything about the nature of this case which may make it difficult or inappropriate for any of you to serve on the jury.

3. To do so, I will read you the charges. The psychics referred to in the Indictment are Maria Duval and Patrick Guerin.

4. Do any of you believe you have personal knowledge of the events charged in the Indictment as I have described them? Has any juror read or heard anything about this case? If so, is there anything such juror has read or heard that would cause him or her to feel that he or she cannot decide the fact issues of this case fairly and impartially?

B. Nature of the Charges

5. As you can tell, during the trial, you will hear evidence concerning charges of the scheme to send fraudulent letters claiming to be personal correspondence from world-renowned psychics but that were really mass mailings sent by the defendant and co-conspirators. Does the fact that the charges involve this subject make it difficult for any of you to render a fair verdict? Do any of you feel that you could not decide fairly and impartially a case involving such charges? Has any juror formed an opinion that any of the actions charged in the indictment, as I have described them to you, should not be a crime?

6. Do any of you believe that defrauding people should not be illegal, or that the laws governing these crimes should not be enforced? Is there anything about the nature of the charges that would cause you to be unable to render a fair and impartial verdict in this case?

7. Have any of you been involved in an offense involving mail fraud, wire fraud, or

money laundering, or any of the charges mentioned above? Do any of you have a relative, close friend or associate who has been involved in any such offenses? Have you, or has any member of your family or any of your close friends, had any experience of any kind, directly or indirectly, with mail fraud, wire fraud, or money laundering? [As to any juror who answers affirmatively, the Court is respectfully requested to inquire, at the bench or in the robing room, into the circumstances of each such involvement or experience.]

8. Have you, or has anyone close to you, ever been the victim of scam or fraud involving paying a psychic for services and objects through the mail? If so, would that experience prevent you from serving as an impartial juror in this case?

9. Do you believe that someone who falls victim to a scam should blame themselves for not figuring out that something was a scam?

10. Have you, or has anyone close to you, worked in the direct-mail industry? If yes, please describe your experience.

11. Have you, or has anyone close to you, worked for the or the US Postal Service? If yes, please describe your experience.

C. Knowledge of Trial Participants

12. The defendant on trial is PATRICE RUNNER [Please ask the defendant to rise.] Do any of you know, or have you had any dealings, directly or indirectly, with the defendant, or with any relative, friend or associate of the defendant?

13. To your knowledge, do any of your relatives, friends, associates, or employers know the defendants?

14. The defendants are represented by James Darrow and Charles Millioen, attorneys

with the Federal Defenders of New York. [Please ask Defense Counsel to stand.] Do any of you know these attorneys? Have any of you had dealings, either directly or indirectly, with these attorneys or with the Federal Defenders of New York?

15. The Government is represented here by the United States Department of Justice; the United States Attorney for this District is Breon Peace. The conduct of the trial will be in the immediate charge of trial attorneys from the Department of Justice's Consumer Protection Branch: John W. Burke, Charles Barton Dunn, and Rachel Baron [Please ask the prosecutors to rise]. Do any of you know Mr. Peace, Mr. Burke, Mr. Dunn, or Ms. Baron? Have you had any dealings either directly or indirectly with any of these individuals? Do any of you know the government paralegals, Jamie Richardson Hamilton or Ashley Knott, the case agent, Postal Inspector Thomas Ninan, or Postal Inspector Anita Butler?

16. I will now read a list of names of individuals and companies whose names may be mentioned during the trial, or who may be witnesses in this case.

Maria Duval  
Patrick Guerin  
Jacques Mailland  
Jean-Claude Reuille  
Franz Linden  
Yana Kochelaevskaya  
Maria Thanos  
Philip Lett  
Daniel Sousse  
Diane Meunier  
Voula Kalafatidis  
Francois Harmant  
Rosanne Day  
Balbino Alvarez  
Martin Dettling  
Daniel Arnold  
Jill Baer Castellano  
Bill Moy  
Dorith Schwartz

Sherry Gore  
Keitha Rocco  
Kathleen Bruno  
Fred Bruno  
Joan Hare  
Diane Shannon  
Rose Launonen  
Barry Blumenfield  
Tony Toogood  
Bill Cooper  
Livleen Singh  
Bob Cox  
Karin Civitella  
Keith Aldrich  
Farida Beharry  
Barbara Callahan  
Barbara Daniels  
Jerome DiMarco  
Kathy Ervin  
Wayne Gilbert  
Martha Smith  
Manuel Sousa  
Bill Spitler  
Ingrid Wolf  
Shirley Wright  
Laura Carissimi  
Irene Kanning  
Karla Geter  
Delmar Davis  
Thomas Ninan  
Jan Kostka  
Robert Geary  
David Gal  
Direct Marketing Concepts  
Third Millenium Group  
Infogest Direct Marketing  
Zodiac Zone  
National Parapsychology Center  
Destiny Research Group  
Destiny Research Center  
Destiny Research Organization  
World of Concepts  
Astroforce  
Pacific Network Services ("PacNet")  
Metro Data Management

Data Marketing Group  
Direct Marketing Management  
CUP Publishing SA  
Blumenfield Marketing, Inc.  
Focus Mailings  
The Fidelis Group, Inc.  
PartyMart  
LPG Gem  
DXP Impression  
DXP Postexperts

17. Do any of you know any of these people or companies? Have you had any dealings either directly or indirectly with any of these individuals or companies?

D. Ability to Render Fair Verdict

18. The witnesses in this case may include law enforcement personnel, specifically, a US Postal Inspector. Would you be more likely to believe or disbelieve a witness merely because he or she is a law enforcement officer or with the government?

19. Do you have any connection to the US Postal Inspection Service other than perhaps having knowledge of their operations? Have your experiences been positive or negative?

20. I do not know if there will be any press reports relating to this case. If you should happen to see an article in a newspaper or on the internet, or hear a report on the radio or television news that sounds like it may be related to this case, you are to avoid it. Simply close the newspaper or webpage or change the channel. Likewise, you must avoid anything on social media that sounds like it may be related to the case. You will hear the evidence in this case and your verdict must be based solely upon the evidence presented to you in open court. Along the same lines, you should not do any research regarding the case. You should not search for relevant information on the internet, attempt to visit scenes or offices, or do any independent

investigation. Your verdict must be based solely upon the evidence presented to you in the course of the trial.

E. Relationship with Government

21. Do any of you know, or have any association -- professional, business, or social, direct or indirect -- with any member of the staff of the United States Attorney's Office for the Eastern District of New York, the Department of Justice's Consumer Protection Branch, or the US Postal Inspection Service? Is any member of your family, close friend or associate of yours employed by any law enforcement agency, whether federal, state, or local?

22. Does any juror have any bias, prejudice or other feelings for or against United States Attorney's Office, the Department of Justice, or any other law enforcement agency? Has any juror, either through any experience he or she has had or anything he or she has seen or read, developed any bias or prejudice for or against the United States Attorney's Office, the Department of Justice, or any other law enforcement agency?

23. Have you, or has any member of your family, either as an individual, or in the course of business, ever been a party to any legal action or dispute with the United States, or with any of the officers, departments, agencies, or employees of the United States, including the United States Attorney's Office, the Department of Justice, or any other federal agency? Have any of you had any legal, financial or other interest in any such legal action or dispute, or its outcome?

F. Prior Jury Service

24. Have you ever, at any time, served as a member of a regular jury or a grand jury, whether in federal, state, county or city court? If so, when and where did you serve?

G. Experience as a Witness, Defendant, or Crime Victim

25. Have any of you, or any of your relatives or close friends, ever been involved or appeared as a witness in any investigation by a federal or state grand jury, or by a Congressional or state legislative committee, licensing authority, or governmental agency? Have you, or any of those close to you, ever been questioned in any matter by a federal, state, or local law enforcement agency?

26. Have you ever been a witness or a complainant in any federal or state prosecution? If the crime was a fraud-related offense, who was charged, what was the charge and would the resolution of that case influence your judgment in this case?

27. Are you, or is any member of your family, now under subpoena or, to your knowledge, about to be subpoenaed in any criminal case?

28. Have you, or has any member of your family, any associate or close friend, ever been charged with a crime? If the crime was a fraud-related offense, who was charged, what was the charge and would the resolution of that case influence your judgment in this case?

29. Have you, or have any of your relatives, associates, or close friends ever been the subject of any investigation or accusation by any federal or state grand jury, or by any Congressional committee? If so, do you feel they were treated fairly? Is there anything about that experience that would impact your ability to be fair in this case?



30. Have you, or any of your close friends or relatives, ever been a victim of a crime? If so, were you treated well by the law enforcement authorities? Is there anything about that experience that would impact your ability to be fair in this case? If the crime was a fraud-related offense, who was charged, what was the charge and would the resolution of that case influence your judgment in this case? [As to any juror who answers affirmatively, the Court is respectfully requested to inquire, at the bench or in the robing room, into the circumstances of each crime.]

H. Individual Questions For Each Juror

31. The Government respectfully requests that the Court ask each juror to state the following information:

- a. the juror's family status;
- b. the juror's occupation and educational background;
- c. the name and general location of the juror's employer;
- d. the period of employment with that employer;
- e. the nature of the juror's work;
- f. the same information concerning other employment within the last five years;
- g. the same information with respect to the juror's spouse or companion and any working children;
- h. the area in which the juror resides;
- i. what newspapers, magazines, or other news sources the juror reads and how often;
- j. what television programs the juror regularly watches; and

k. to name a person other than a family member whom the juror has great admiration or respect for.

I. General Questions For The Panel

32. Do any of you have problems with your hearing or vision which would prevent you from giving full attention to all of the evidence at this trial?

33. Are any of you taking any medication that would prevent you from giving full attention to all of the evidence at this trial?

34. Do any of you have any difficulty in reading or understanding English in any degree?

35. Do any of you have any religious, philosophical or other beliefs that would make you unable to render a guilty verdict for reasons unrelated to the law and the evidence?

36. In these questions, I have tried to direct your attention to possible reasons why you might not be able to sit as a fair and impartial juror. Apart from any prior question, does any juror have the slightest doubt in his or her mind, for any reason whatsoever, that he or she will be able to serve conscientiously, fairly and impartially in this case, and to render a true and just verdict without fear, favor, sympathy or prejudice, and according to the law as it will be explained to you?

J. Function of the Court and Jury

37. The function of the jury is to decide questions of fact. You are the sole judge of the facts and nothing that the Court or the lawyers say or do may encroach in any way on your role as the exclusive fact-finder. When it comes to the law, however, you are to take your

instructions from the Court, and you are bound by those instructions. You may not substitute your own notions of what the law is, or what you think it should be. At the conclusion of the case, your job will be to determine whether or not the defendant is guilty as charged in the Indictment. Does any juror have any bias or prejudice that might prevent or hinder him or her from accepting the instructions of law that I will give you in this case?

38. Will each of you accept the proposition that the question of punishment is for the Court alone to decide, and that the possible punishment must not enter into your deliberations as to whether the defendant is guilty or innocent?

39. Will each of you accept the proposition of law that sympathy must not enter into the deliberations of the jurors as to guilt or innocence of the defendant, and that only the evidence produced here in Court may be used by you to determine the guilt or innocence of the defendant?

40. It is not a particularly pleasant duty to find another individual guilty of committing a crime. Is there any juror who feels that even if the evidence established the

defendant's guilt beyond a reasonable doubt, he or she might not be able to render a guilty verdict for reasons unrelated to the law and the evidence?

Dated: Washington, DC  
May 23, 2023

AMANDA N. LISKAMM  
Director  
Consumer Protection Branch  
U.S. Department of Justice

By: /s/ John W. Burke

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John W. Burke  
Charles B. Dunn  
Rachel Baron  
Ann Entwistle  
Trial Attorneys  
Consumer Protection Branch

cc: Clerk of the Court (by ECF)  
Counsel (by ECF)